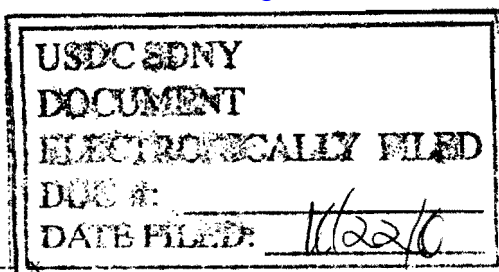


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



KEITH COOK,

Plaintiff,

-against-

BANK OF AMERICA & CO., JOHN FRAZZA,
SUSAN COLE,

Defendants.

Civil Action No. 09-cv-8039

**JOINT STIPULATION OF
DISMISSAL WITH
PREJUDICE**

The plaintiff, Keith Cook ("Plaintiff"), and the defendants, Bank of America, N.A. (incorrectly identified in the Complaint and "Bank of America & Co."), John Frazza and Susan Cole (collectively "Defendants"), by and through their undersigned counsel hereby stipulate and agree to dismissal of the above-captioned action, in its entirety, with prejudice, and waiving all rights of appeal.

THE COCHRAN FIRM

KAUFMAN BORGEEST & RYAN LLP

A handwritten signature in black ink, appearing to be "Tracey Brown".

Tracey Brown
Derek S. Sells
233 Broadway, 5th Floor
New York, New York 10279
Telephone: (212) 553-9120
Fax: (212) 227-8763
Attorneys for Plaintiff
Dated: October 13, 2010

A handwritten signature in black ink, appearing to be "Jonathan Bruno".

Jonathan Bruno
Deborah Zawadzki
120 Broadway, 14th Floor
New York, New York 10271
Telephone: (212) 980-9600
Fax: (212) 980-9291
Attorneys for Defendants
Dated: November 16, 2010

So ordered,

Dated: 11/19/10

A handwritten signature in black ink, likely of a judge, appearing to be "J. S. Kelly".